

Representing Management Exclusively in Workplace Law and Related Litigation



Jackson Lewis LLP	ALBANY, NY	DETROIT, MI	MILWAUKEE, WI	PORTRLAND, OR
58 South Service Road	ALBUQUERQUE, NM	GREENVILLE, SC	MINNEAPOLIS, MN	PORTSMOUTH, NH
Suite 410	ATLANTA, GA	HARTFORD, CT	MORRISTOWN, NJ	PROVIDENCE, RI
Melville, New York 11747	BALTIMORE, MD	HOUSTON, TX	NEW ORLEANS, LA	RALEIGH-DURHAM, NC
Tel 631.247.0404	BIRMINGHAM, AL	INDIANAPOLIS, IN	NEW YORK, NY	RICHMOND, VA
Fax 631.247.0417	BOSTON, MA	JACKSONVILLE, FL	NORFOLK, VA	SACRAMENTO, CA
www.jacksonlewis.com	CHICAGO, IL	LAS VEGAS, NV	OMAHA, NE	SAN DIEGO, CA
	CINCINNATI, OH	LONG ISLAND, NY	ORANGE COUNTY, CA	SAN FRANCISCO, CA
	CLEVELAND, OH	LOS ANGELES, CA	ORLANDO, FL	SEATTLE, WA
	DALLAS, TX	MEMPHIS, TN	PHILADELPHIA, PA	STAMFORD, CT
	DENVER, CO	MIAMI, FL	PHOENIX, AZ	WASHINGTON, DC REGION
			PITTSBURGH, PA	WHITE PLAINS, NY

My Direct Dial is: (631) 247-4658
 My Email Address is: greenhausd@jacksonlewis.com

July 26, 2011

VIA ECF

Hon. Judge Sandra Feuerstein
 U.S. District Judge
 Eastern District of New York
 Long Island Federal Courthouse
 944 Federal Plaza
 Central Islip, NY 11722

Re: John Paul P. Balingit v. Community National Bank
 Corp. and Prestige Employee Administrators, Inc.
CV 11-0440

Dear Judge Feuerstein:

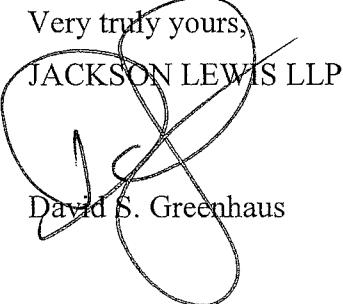
This firm represents the Defendants in connection with the above-referenced matter. On May 18, 2011, Defendants filed a partial motion to dismiss Plaintiff's claims for intentional infliction of emotional distress ("IIED"). Plaintiff did not oppose the motion. At an initial conference on July 7, 2011, Plaintiff's counsel announced his intention to withdraw the IIED claim.

Plaintiff has not yet formally withdrawn his claim, despite counsel's representation that he would file the appropriate documentation with the Court. Defendants therefore request that the Court issue an Order directing that Plaintiff file a Notice of Voluntary Dismissal, so as to clarify that the IIED claims no longer are part of this lawsuit.



Hon. Judge Sandra Feuerstein
July 26, 2011
Page 2

Thank you for your attention to this matter.

Very truly yours,
JACKSON LEWIS LLP

David S. Greenhaus

DSG/laf

cc: Felix Q. Vinluan, Esq. (via ECF)